

## **REMARKS AND ARGUMENT**

### **The Rejection of Claims 34-37 under 35 U.S.C. 102(a) as Anticipated By LaRou**

The Office Action rejected claims 34-37 under 35 U.S.C. 102(a) as being anticipated by LaRou U.S. Patent No. 4,728,202 (“LaRou”). Specifically the Office Action states that “the Examiner finds all claimed subject matter to be present. See Figs 1-2.”

Applicant respectfully submits that the rejection should be withdrawn. The claimed invention is not “patented or described in a printed publication” as required by 35 U.S.C. 102(a). A careful look at the LaRou patent reveals that the described and patented locking collar is **not** directed to a locking collar having a protrusion extending radially inwardly from its inner surface as called for by the pending claims. Rather, LaRou describes and claims a two piece locking collar having an inner surface without protrusions. Figure 1 of LaRou clearly shows that the inner surface of the bearing locking collar is entirely flat. Figure 2 “is an isometric view of a portion of the bearing assembly of FIG. 1 locked to the shaft by the shaft locking collar without the pillow block.” LaRou, col. 2, lines 20-22. Thus, Figure 2 which is supposed to show a different view of the locking collar shown in Figure 1 is supposed to show a locking collar having a completely flat inner surface. To the extent that Figure 2 appears to show some type of protrusion on the inner surface of the locking collar, it is in error and is the result of sloppy drafting.

This is confirmed by a review of all of the other Figures in LaRou. For example, Figure 3 also provides “an end view of the bearing assembly of FIG. 1” and shows a completely flat inner surface on the locking collar, just like Figure 1. LaRou, col. 2, lines 23-25. Furthermore, in Figures 4, and 6-11, the inner surface of the locking collar is shown to be completely flat, just like Figure 1, thus confirming the anomaly of Figure 2. Finally, in the discussion of Figure 2 in

LaRou, no mention is made of any protrusion extending from the inner surface of the bearing locking collar and no numerals are even used to reference anything on the inner surface, thereby confirming the absence of any protrusion on the inner surface.

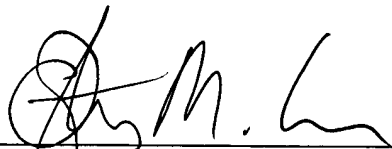
Thus, LaRou clearly does not describe a locking collar having a protrusion extending from the inner surface of the bearing locking collar as required by the claims, particularly where it is never discussed in the specification and is absent in every other Figure in the specification. All that LaRou contains is a Figure 2 that was the subject of sloppy drafting. LaRou certainly does not provide an enabling disclosure or a sufficient written description to serve as an anticipation of the claims, particularly where every aspect of LaRou, aside from Figure 2, shows that the inner surface of the locking collar does not contain any protrusion and is completely flat.

With respect to claims 35 and 37, Figure 2 of LaRou (as well as all of the other Figures) does not describe a protrusion “having a camming surface adapted for guiding said locking collar into a preliminary mounted position” as required by claim 35, or protrusion “with a wedge shape” as required by claim 37. A protrusion is not even mentioned in the specification, let alone one having a camming surface or a wedge shape. Instead, the sloppy drafting of Figure 2 of LaRou appears to show only a rounded blob, and there is no description anywhere in the specification of, nor do any of the other Figures show, a protrusion having a camming surface adapted for guiding the locking collar into a preliminary mounted position (claim 35) or a protrusion having a wedge shape (claim 37). LaRou therefore, does not provide an enabling disclosure or a sufficient written description to serve as an anticipation of claims 35 and 37, particularly where every aspect of LaRou, aside from Figure 2, shows that the inner surface of the locking collar does not contain any protrusion and is completely flat.

Accordingly, Applicants respectfully request the rejection of claims 34-37 under 35 U.S.C. 102(a) be withdrawn. If for any reason the Examiner believes that claims 34-37 are not allowable, Applicant requests the Examiner to call the undersigned at (312) 913-2131.

Date: 8-26-04

By:

  
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